



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/785,888	02/17/2001	Lin Yue	US018007	8632

7590 08/09/2004

Corporate Patent Counsel  
U.S Philips Corporation  
580 White Plains Road  
Tarrytown, NY 10591

EXAMINER
----------

PHU, PHUONG M

ART UNIT	PAPER NUMBER
----------	--------------

2631

DATE MAILED: 08/09/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/785,888

Applicant(s)

YUE ET AL.

Examiner

Phuong Phu

Art Unit

2631

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 29 July 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-11 is/are allowed.
- 6) ☒ Claim(s) 12-15, 17 and 18 is/are rejected.
- 7) ☒ Claim(s) 16 and 19 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2,3.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 12-15, 17 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Rowitch et al (6,628,702).

As per claim 12, see figure 5, col. 9, line 56 to col. 13, line 60, Rowitch et al discloses a system comprising:

a receiver (510a, 510b) of receiving a composite signal that includes a plurality of information signals ( $I_{IN}$ ,  $Q_{IN}$ ) spreaded by ( $PN_1$ ,  $PN_2$ );

a decoder (514a) of decoding an information signal of the plurality of information signals after being despreaded by ( $PN_1$ ), wherein the decoders decodes the information signal by separately decoding segments of the information signal using segments (half-symbol lengths) of

Art Unit: 2631

a code ( $W_{STS}$ ), that are shorter than the length of the code, to produce an intermediate value corresponding to the information signal associated with each segment (see col. 9, line 66 to col. 10, line 19).

As per claim 13, Rowitch et al discloses that the decoder forms a composite of intermediate values (outputted from means (524a, 524b) corresponding to each segment, to provide an output value corresponding to the information signal (see col. 10, lines 20-33).

As per claim 14, Rowitch et al discloses another decoder (514b) that decodes another information signal using another code ( $W$ ) (see figure 5).

As per claim 15, Rowitch et al discloses that the other code ( $W$ ) has a length as half as the code ( $W_{STS}$ ) (see col. 10, lines 10-19).

As per claim 17, see figure 5, col. 9, line 56 to col. 13, line 60, Rowitch et al discloses a method comprising:

step (514a) of partitioning a composite signal ( $I_{IN}$ ,  $Q_{IN}$ ) into a plurality of segments, each segment having a length ( $T$ ) being shorter than an information symbol having a length ( $2T$ ) (see col. 5, line 65 to col. 6, line 5 and col. 10, lines 5-9); and

step (514a) of determining an output value corresponding to each segment, based on a correlation between the segments and a correspond segment of a code ( $W_{STS}$ ) having a same length as the information symbol (see col. 10, lines 2-19).

As per claim 18, Rowitch et al discloses step (524a, 524b) of forming a composite of the output value of each segment, to determine an output symbol corresponding to the information symbol (see col. 10, lines 20-33).

Art Unit: 2631

*Allowable Subject Matter*

3. Claims 1-11 are allowed.
4. Claims 16 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong Phu whose telephone number is 703-308-0158. The examiner can normally be reached on M-F (8:30-6:00) First Monday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ghayour can be reached on 703-306-3034. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Phuong Phu*

Phuong Phu  
05/20/04

Phuong Phu  
Primary Examiner  
Art Unit 2631

**PHUONG PHU**  
**PRIMARY EXAMINER**